

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION, et al.

Plaintiffs,

v.

SYNGENTA CROP-PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP-PROTECTION, LLC,

and

CORTEVA, INC.,

Defendants.

CASE NO. 1:22-cv-00828-TDS-JEP

**DECLARATION OF DANA M. EDDIS IN SUPPORT OF CORTEVA, INC.'S
MOTION TO FILE UNDER SEAL**

I, Dana M. Eddis, declare as follows:

1. I am currently Associate General Counsel, Corporate and Assistant Secretary for Corteva, Inc. ("Corteva"). I have been employed by Corteva and its predecessors since 2019 and have held my current position as Associate General Counsel since October 2019 and as Assistant Secretary since February 2020.

2. Over the course of my employment at Corteva, I have acquired personal knowledge of the facts stated in this declaration or become aware of such facts, including of Corteva's practices and procedures concerning the maintenance of the confidentiality of its strategic, business, and marketing information.

3. I understand that Plaintiffs filed a Motion to Compel Discovery of

Defendant, Corteva, Inc. (Dkt. 225) on July 12, 2024.

4. I understand that Corteva is submitting a Motion to File Under Seal, to request that the Court keep under seal certain confidential information in the memoranda of law and exhibits filed as part of the briefing for Corteva's Opposition to the Motion to Compel (Dkt. 234), which constitutes commercially and/or competitively sensitive information of Corteva's business. I submit this declaration in support of Corteva's Motion to File Under Seal.

5. The contents of this declaration are true and correct to the best of my knowledge, information, and belief. This declaration is based on my personal knowledge of Corteva's policies and practices as they relate to the treatment of confidential information, the materials that were provided to me or reviewed by me and/or conversations with other knowledgeable employees of Corteva. If called upon as a witness, I could and would testify competently thereto.

6. Corteva proposes to seal or redact documents and information that constitute commercially and competitively sensitive business information, as well as descriptions of such information and directly quoted excerpts from such commercially and competitively sensitive documents. The confidential information that Corteva proposes sealing or redacting falls into four categories.

7. First, Corteva proposes to seal or redact confidential information that describes or analyzes Corteva's competitive strategies concerning sales and marketing. This is commercially and competitively sensitive business information which, if revealed, would pose a risk of competitive harm to Corteva's business and commercial relationships.

8. Second, Corteva proposes to seal or redact certain confidential business and financial information, including pricing, sales, and customer-specific information. This information is commercially and competitively sensitive because it reflects Corteva's internal views on, and competitive business strategies for, competing in the crop protection industry, and its disclosure would pose a risk of competitive harm to Corteva's business and commercial relationships.

9. Third, Corteva proposes to seal or redact certain information that discloses the confidential terms of Corteva's business agreements with third parties and details of the negotiations related to these agreements. The terms of these commercial agreements (and related negotiations) are competitively and commercially sensitive business information which, if revealed, would pose a risk of competitive harm to Corteva's business and commercial relationships.

10. Fourth, Corteva proposes to seal or redact certain information that discloses the identities, structure, and scope of Corteva's confidential commercial databases, including databases that contain competitively sensitive sales, marketing, and financial data. This information reflects Corteva's internal views on and maintenance of key competitive metrics and constitutes competitively and commercially sensitive business information which, if revealed, would pose a risk of competitive harm to Corteva's business and commercial relationships.

11. The information described above is commercially and competitively sensitive. Such information is not publicly known, and Corteva has safeguarded its confidentiality from disclosure. To the extent Corteva provided this information to the

Federal Trade Commission (the “FTC”) and other Government Plaintiffs in this action (collectively, the “Plaintiffs”) in connection with the pre-complaint investigation, Corteva required that the Plaintiffs maintain its confidentiality under all applicable laws, rules, and regulations. Public disclosure of this information would make it available to Corteva’s business competitors, contractual counter-parties, and other market participants. Such disclosure poses a high risk of harm to competition, risks placing Corteva at a competitive and commercial disadvantage, and risks commercial damage to Corteva, its customers and other commercial partners.

12. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 16, 2024



Dana M. Eddis
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